REMARKS

This application has been carefully considered in connection with the Examiner's Final Office Action dated January 26, 2009. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Rejections

Claims 1, 4-8, 11, 16, and 18-30 were pending at the time of the Final Office Action.

Claims 1, 4-8, 11, 16, and 18-30 were rejected under 35 USC § 103.

Summary of Response

Claims 1, 16, and 28 are currently amended. Support for these amendments can be found at paragraphs 25, 66, 70, and 71 of the as-filed specification.

Claims 5 and 26 remain as originally submitted.

Claims 4, 6-8, 11, 18-25, 27, 29, and 30 were previously presented.

Claims 2-3, 9-10, 12-15 and 17 were previously canceled.

Remarks and Arguments are provided below.

Summary of Claims Pending

Claims 1, 4-8, 11, 16, and 18-30 are currently pending following this response.

Overview of Response to Rejections

A large corporate enterprise should have management and operations information available in a timely and cost effective manner. The information may be useful in calculating costs as a function of the level of performance rather than just the cost of operating. These and other calculations may be valuable to managers and executives making business decisions for the enterprise. However, in a large corporate enterprise, management and operations information may be spread across multiple unrelated computer systems, and if the computer systems are incompatible with one another, this information may not be available or may not be available in a timely fashion or may not be available in a cost effective manner.

Thus, the pending application discloses systems and methods that provide translation/transformation of data, such as messaging data, which is collected by a distributed management system, for collection, consolidation, processing, and analysis. This data may be stored in a plurality of databases and may be accessed by a service layer by using an information service layer (ISL) script. The ISL script may search through diverse databases, extract desired data, and format the desired data in a usable format. For example, the ISL script may wrap the extracted data in tags, such as a document type definition (DTD) tag. This allows data that may come from diverse sources to be understood and used for analysis together.

An information command layer (ICL) script comprises embedded instructions or logic that may be used to manipulate the data that has been retrieved from the one or more databases and formatted by the ISL script. This data manipulation may, in some embodiments, provide instructions to parse, add, subtract, or manipulate the data from one or more diverse databases. The ICL script may be provided as an input parameter through the API by an application or be stored locally on the ICL. Since the ICL script is not hard coded, different ICL scripts can be used to easily perform different types of analysis. Moreover, a writer component is also disclosed that further formats the analyzed data into a format appropriate for the application that requested the data.

Considering the cited references, Draper, Heninger, and Callender together provide no disclosure, teaching, or suggestion that the same API provide an ISL script and an ICL script, as claimed. Yet further, Draper and Callender do not provide any disclosure, teaching, or suggestion regarding the claimed interaction of the ISL, ICL, ISL script, and ICL script.

While Draper *might* be cited for the proposition of retrieving and formatting data, and while Callender *might* be cited for the proposition of data analysis, the combination of these references does not disclose *how* the claimed system actually performs retrieving, formatting, and analyzing. The addition of Heninger is not relevant to this analysis, as Heninger does not contain any disclosures that could be related to these particular features. Rather, Heninger is only directed towards embedding and executing scripts in dynamic documents.

Thus, the cited combination, considered as a whole, does not disclose all of the features of claim 1 as previously presented, or as currently amended. These distinctions, as well as others, will be discussed in greater detail in the analysis of the present claims that follows.

Response to Rejections under Section 103

I. Claim 1:

Claim 1 was rejected under 35 USC § 103(a) as being unpatentable over Draper et al., U.S. Patent 7,152,062 ("Draper") in view of Heninger, et al., U.S. Patent Pub. 2003/0140045 ("Heninger"), in further view of Callender, et al., U.S. Patent Pub. 2002/0147657 ("Callender"). This rejection is respectfully traversed.

Applicants respectfully submit that the proposed combination of references, considered as a whole, does not disclose all of the features of the claims as previously presented. In particular, the proposed combination of references does not disclose the feature of, "wherein the analyzer performs calculations on the at least a portion of the requested data according to the at least one information command layer script received from the application program interface," as in previously presented claim 1. The combination of references also does not disclose related features in the remaining independent claims.

Nevertheless, Applicants have amended the claims to further define the nature of the information service layer, the information command layer, and their respective scripts in order to further distinguish the claims from the combination of the cited references. In particular, Applicants have added the following features to the claims, based on paragraphs 25, 66, 70, and 71 of the as-filed specification:

> wherein the information service layer enables searching for and obtaining data as well as invoking commands across disparate computer systems or computer platforms in a manner which makes differences of these systems and platforms transparent to a user of the information service layer, wherein an information command

> layer enables manipulation of data received in a response document from the information service layer, wherein the at least one information service layer script comprises instructions for searching the information service layer to extract the desired data and to format the desired data in a usable format, and wherein the at least one information command layer script comprises embedded instructions used to manipulate the desired data that has been retrieved and formatted by the information service layer script

Thus, Applicants have clearly defined the information service layer (ISL), the information command layer (ICL), and their respective scripts. The ISL enables searching through disparate computer systems and platforms, and then formatting the response into a usable format. The ISL script performs these functions. The ICL enables the ISL script to take the response generated by the ISL script, and further manipulate the response. Thus, claim 1 now clearly delineates the respective roles of the ICL script and the ISL script, as well as the roles of the ISL and ICL.

These roles give additional meaning to the claimed term, "wherein the analyzer performs calculations on the at least a portion of the requested data according to the at least one information command layer script received from the application program interface." Although the proposed combination did not disclose this previously presented feature, when this previously presented feature is considered in further view of the claim amendments described above, claim 1 is now clearly distinguished from the cited combination. Applicants now further address the rejection of claim 1 and the combination of the cited references.

In summary, the Final Office Action asserts that Draper discloses the bulk of the claims, but that Callender discloses the claimed analyzer, and that Heninger discloses embedding of scripts. Final Office Action, pp. 2-5. Applicants note that the Final Office Action has interpreted Draper as disclosing the claimed ISL script at col. 4, l. 65 through col. 5, l. 24, and also as disclosing the ICL script at col. 6, ll. 4-10. Final Office Action, pp. 2-3.

However, Applicants respectfully submit that Draper does not disclose *both* the ISL script and the ICL script, or their corresponding layers, and also does not disclose the *interaction* of these claimed entities. At the first cited portion (col. 4-5), Draper discloses that a "lens" can be used to create a query. Draper, col. 5, ll. 1-4. The API (application programming interface) can then be used retrieve the results of the query, which may be in a canonical format. Id. at ll. 12-14. Later, Draper discloses that the API can use the lens to *transform the results to the canonical format* before returning the results to the application. Draper, col. 6, ll. 4-10.

In view of these disclosures, without admitting the validity of the Final Office Action's interpretation, the "lens" of Draper *might* be interpreted as the claimed "ISL script." However, contrary to the position of the Final Office Action, Draper does not disclose the claimed ICL script, because the ICL script performs further processing in the manner provided in claim 1. In other words, the "lens" in Draper *might* be interpreted as "retrieving data" and "transforming the data into a format," but the "lens" in Draper does not perform the additional processing required by the ICL and ICL script of claim 1.

Nevertheless, Applicants consider the references as a whole, and thus address Callender and Heninger together with Draper. The Final Office Action cites Callender for the proposition that Callender discloses the claimed "analyzer," which contains the feature, "wherein the analyzer performs calculations on the at least a portion of the requested data according to the at least one information command layer script received from the application program interface."

However, Applicants respectfully submit that Callender does not disclose this claimed feature; nor does Callender disclose the features of the newly defined ICL, ISL, ICL script, and ISL script, or their interactions, taken together as a whole within the context of claim 1. Rather, Callender is directed to a method for determining item availability through a network. Callender, Abstract. At paragraphs 26-27 (cited by the Final Office Action as disclosing the claimed feature), Callender discloses performing a probability analysis. Specifically, Callender aggregates raw data from retailers and then determines a probability that a given retailer will have a particular product in stock. Id. Thus, with regard to the claim feature at issue, Callender at most discloses performing an analysis on retrieved data.

However, the analysis disclosed in Callender is not performed by an ICL according to instructions an ICL script received from the same API that provides the ISL script, as in claim 1. Callender does not disclose the claimed structure of the API, the ISL, and the ICL. Therefore, Callender does not disclose the claim feature at issue. Furthermore, the newly added claim features further distinguish the differences between Callender and claim 1.

As shown above, Draper does not disclose all of the claim features, and Callender also does not disclose these same claim features. Still further, Heninger does not disclose these same claim features. Rather, Heninger is only directed to a server side scripting language, in which script files can be imbedded in other files, and subsequently parsed and executed. Heninger, paragraphs 0057-0065 (also cited by the Final Office Action). However, Heninger does not disclose any feature that could be related to an ISL or ICL.

Therefore, none of the cited references disclose the features of, "wherein the analyzer performs calculations on the at least a portion of the requested data according to the at least one information command layer script received from the application program interface." Moreover, none of the cited references disclose this feature in light of the newly added features defining the ISL, ICL, and their respective scripts. Therefore, the proposed combination of references, when considered as a whole, does not disclose all of the features of claim 1. Accordingly, no *prima facie* obviousness rejection can be stated against claim 1 using the cited references.

Stated differently, Draper and Callender together provide no disclosure, teaching, or suggestion that the same API provide an ISL script and an ICL script, as claimed. Yet further, Draper and Callender do not provide any disclosure, teaching, or suggestion regarding the claimed interaction of the ISL, ICL, ISL script, and ICL script. While Draper *might* be cited for the proposition of retrieving and formatting data, and while Callender *might* be cited for the proposition of data analysis, the combination of these references does not disclose *how* the claimed system actually performs retrieving, formatting, and analyzing. The addition of Heninger is not relevant to this analysis, as Heninger does not contain any disclosures that could be related to these particular features. Rather, Heninger is only directed towards embedding and executing scripts in dynamic documents.

For this reason, when the references are considered as a whole, the references do not disclose all of the features of claim 1 considered as a whole. Accordingly, no *prima facie* obviousness rejection can be stated against claim 1 using a combination of these references.

II. Claims Depending from Claim 1:

The Final Office Action rejects claims 6-8 and 11 obvious over Draper, Heninger, and Callender. The Final Office Action rejects claims 4-5 as obvious over Draper, Heninger, Callender, and Zarb, U.S. Patent Pub. 2004/0039619 ("Zarb").

Dependent claims 4-8 and 11 depend directly or indirectly from independent claim 1 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section I above, Applicants respectfully submit that claims 4-8 and 11 are not taught or suggested by Draper in view of Heninger, and respectfully request allowance of these claims. Note that Zarb, which is directed to analyzing benchmarks of an organizations strategic goals, fails to cure the deficiencies of the combination of Draper, Heninger, and Callender.

III. Claim 16 and Claims Depending from Claim 16:

The Final Office Action rejects claim 16 obvious over Draper, Heninger, and Callender. Claim 16 includes features substantially similar to the features of claim 1 discussed in section I above. Accordingly, the arguments of section I are hereby repeated for claim 16.

For at least the reasons established above in section I, Applicants respectfully submit that the features of independent claim 16 are not taught or suggested by Draper, Heninger, and Callender, and respectfully request allowance of this claim.

Claims 18 and 20-27 were rejected as obvious over Draper, Heninger, and Callender. Claim 19 was rejected as obvious over Draper, Heninger, Callender, and Zarb.

Dependent claims 18-27 depend directly or indirectly from independent claim 16 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section I above, Applicants respectfully submit that claims 18-27 are not taught or suggested by Draper, Heninger, Callender, and Zarb, and respectfully request allowance of these claims. Note that Zarb, which is directed to analyzing benchmarks of an organizations strategic goals, fails to cure the deficiencies of the combination of Draper, Heninger, and Callender.

IV. Claim 28 and Claims Depending from Claim 28:

The Final Office Action rejects claim 28 obvious over Draper and Callender. Claim 28 includes features substantially similar to the features of claim 1 discussed in section I above. Accordingly, the arguments of section I are hereby repeated for claim 28.

For at least the reasons established above in section I, Applicants respectfully submit that the features of independent claim 28 are not taught or suggested by Draper and Callender, and respectfully request allowance of this claim.

Claims 29 and 30 were rejected as obvious over Draper and Callender. Dependent claims 29 and 30 depend directly or indirectly from independent claim 28 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section I above, Applicants respectfully submit that claims 29 and 30 are not taught or suggested by Draper and Callender, and respectfully request allowance of these claims.

Conclusion

Applicants respectfully submit that the pending disclosure is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: March 26, 2009

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